

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

Herbert Studstill EL
6246 Carnegie St
Romulus Mi 48174

Plaintiff(s),

v.

Jalita Floyd-king
3663 Beverly Rd
Romulus Mi 48174

Defendant(s).

734-592-3802

Case: 2:16-cv-12406

Judge: Leitman, Matthew F.

MJ: Patti, Anthony P.

Filed: 06-24-2016 At 11:03 AM

CMP STUDSTILL v KING (sk)

COMPLAINT

- I. Defendant(s). Print the full name for each defendant. If there are more defendants, use additional pages to provide their names.

Name of Defendant(s)

1. Jalita Floyd-king

2.

3.

4.

5.

- II. Statement of claim. Briefly state the facts of your case. Describe how each defendant is involved, and exactly what each defendant did, or failed to do. Include names of any other persons involved, dates, and places. You may use additional paper if necessary.

Violations of my rights and stander

III. Relief. Briefly state exactly what you want the court to do for you.

on injunction and \$150,000 from defendant.

IV. **Additional Information.** – Briefly enter any additional information, you may use additional paper.

V. Demand for Jury Trial. Check this box if you want your case to be decided by a jury, instead of a judge.

Plaintiff demands a jury trial on all issues.

Dated: 6-23-16

Herbert Stadtille

Plaintiff's Signature

Herbert Stadstill El

Plaintiff's Printed Name

6296 Carnegie St
Street Address

Romulus MI 48174
City, State, Zip Code

N/A

Telephone Number

E-mail Address:

United States District Court

Herbert Studstill El

(Plaintiff, In person)

Vs.

Jalita Floyd - King

(Defendant)

3663 Beverly Rd
Ranvelus MI 48174
734-502-3802

Petition / Lawsuit for slander

Jurisdiction is given to the United States district court, according to U.S. Constitution article 3 & U.S. Constitution amendment 7th. According F.R.C.P. rule 7(a) & rule 7(7).

Brief summary of this lawsuit supported by case law and evidence. According to F.R.C.P. rule 8 (general rules of pleading) (a) claims for relief

I Herbert Studstill El hereby come with this lawsuit/petition against the defendant Jalita Floyd-King for slander to my person.

Lawful definition of (Slander):
slander

N. oral defamation, in which someone tells one or more persons an untruth about another which untruth will harm the reputation of the person defamed. Slander is a civil wrong (tort) and can be the basis for a lawsuit. Damages (payoff for worth) for slander may be limited to actual (special) damages unless there is malicious intent, since such damages are usually difficult to specify and harder to prove. Some statements such as an untrue accusation of having committed a crime, having a loathsome disease, or being unable to perform one's occupation are treated as slander per se since the harm and malice are obvious, and therefore usually result in general and even punitive damage recovery by the person harmed.

This slander came about by the defendant Jalita King-Floyd on May 21, 2015, when she had me admitted against my will at Oakwood Annapolis hospital. (Evidence # 1) (pg. 1) "Mother is petitioning pt. stating pt. is driving around with illegal tags on his car, no license and insurance. Mother also states that pt. is accusing the police of illegal wrong doings when the patient is the one in the wrong. Mother states that she would like her son to have a psychiatric evaluation. Pt. given gown and instructed to place clothing in patient belonging bag. Pt. refusing to take off clothing at this time. Pt is currently a&ox3, calm and cooperative. Respirations are even unlabored, ksin is warm dry and intact. Nd noted at this time will continue to monitor."

Let me state for the court record that at the time the defendant had me admitted. She was not and is not my legal guardian. Also that I was and am a grown man of the age of 40 years old. Also that it's not or was not the defendant job to interpret neither law nor my actions. Being that I was a private citizen of lawfully age and legal capacity to handle my affairs without the defendant assistance.

Case law

the court issued an opinion in New York Times Co. v. Sullivan, 376 U.S. 254 (1964) dramatically changing the nature of libel law in the United States. In that case, the court determined that public officials could win a suit for libel only if they could demonstrate "actual malice" on the part of reporters or publishers. In that case, "actual malice" was defined as "knowledge that the information was false" or that it was published "with reckless disregard of whether it was false or not". This decision was later extended to cover "public figures", although the standard is still considerably lower in the case of private individuals.

In this case even though I the plaintiff isn't a public official. The defendant still acted with actual malice when she gave information to have me admitted against my will for a examination. She gave information that she had no proof of concerning my actions with the police.

It was a false accusation, in which it occur as the result of the defendant intentional lying to have me commited. As a result of the defendant action I the plaintiff Herbert Studstill , suffered emotional distress and shame to my reputation. The defendant actions can be seen as a intention tort.

Intention tort is defined by law as ; “are any intentional acts that are reasonably foreseeable to cause harm to an individual, and that do so. Intentional torts have several subcategories:

- Torts against the person include assault, battery, false imprisonment, intentional infliction of emotional distress, and fraud, although the latter is also an economic tort. An intentional tort requires an overt act, some form of intent, and causation .”

The defendant then went on to carry on with her slander and defamation actions against me, by testify against me. At a state of michigan 34th judicial district county of wayne court hearing. (evidence # 2) (transcript dated december 2, 2015).

Defamation is defined by law as ; “Defamation is tarnishing the reputation of someone; it has two varieties, *slander* and *libel*. Slander is spoken defamation and libel is printed or broadcast defamation.”

On october 15, 2015 , before a show cause hering the defendant gave testimony against the plaintiff in a defamation and slanderous way. (evidence # 2 pg 4 transcript) “the court : is there any power—do you have any power of attorney over him? Ms. Flyod : no I do not. The court : no ? Ms. Floyd : I've asked for outside guardianship, because it would casue so much conflict between he and I if I – he is totally against it. So there's a outside person—organization that may—is trying to do it.”

Let the court reflect on the fact the defendant openly admitted in court that she had no reason power to act in my affairs and that her(defendant) intention was to slander and defame me to gain power over me.

(evidence # 2 page 5 transcript) “ the court : did he—he was sent for a- a psychological. Did that ever occur? Ms.Floyd: we went, but he did not comply. We got there, locked up evrything, but then he would not allow them to search him. He said it was a violation of his civil rights. So then we left. But that's as far as I got with him. So what we're trying to do is get the third party involved to help with all

of this. I can not it alone. It's-it's just total nonsense. We -I've talked and talked until I'm blue in the face. He doesn't listen to me. So maybe these other people with the force of medication, going to the doctor, what have you, that will help turn this situation around, because he's not doing any of that. The court : how is the environment at home? Ms/ Floyd: he lives alone and we have managed with him doing that for years because he listened to us at that point. Now he's involved with these Moorish people. They take his money. He has to pay to belong. They have gotten him into al of this. He will not listen to us now. He doesn't hear it. But he still pays his rent and what have you like that."

Let the court again reflect on the point that the defendant openly testify against me with the intentional slander and defamation by telling the court she wanted help to get control over me for no reason because she also admitted that I was handling my affairs as a private citizen.

The defendant's action in the court testimony caused me the plaintiff to be arrested for no reason , but that she wanted power of attorney over me. I spent a few weeks in jail because of her(defendant) actions.

Conclusion & remedy

I the plaintiff Herbert Studstill El , am seeking a remedy of \$150,000 from the defendant Jalika Floyd , for slander and defamation also intentional infliction of emotional distress. I also am asking the court to put some type of injunction on the defendant to keep her out of my affairs.

Said and Done by: Herbert Studstill El

OAKWOOD ANNAPOLIS HOSPITAL
 33155 Annapolis Rd
 Wayne MI 48184-2405
 ED Legal Record

STUDSTILL,HERBERT JR.
 MRN: 07167477
 DOB: 10/24/1975, Sex: M
 Adm: 5/21/2015, D/C: 5/22/2015

ED Notes (continued)

ED Notes by King, Jalita E, RN at 5/21/2015 6:54 PM (continued)

Version 1 of 1

Author: King, Jalita E, RN Service: (none)
 Filed: 5/21/2015 6:54 PM Note Time: 5/21/2015 6:54 PM
 Editor: King, Jalita E, RN (Registered Nurse) Author Type: Registered Nurse
 Status: Signed

Pt to holding bed 39. Report given to Tiffany RN.

Electronically signed by King, Jalita E, RN on 5/21/2015 6:54 PM

ED Notes by King, Jalita E, RN at 5/21/2015 6:12 PM

Version 1 of 1

Author: King, Jalita E, RN Service: (none)
 Filed: 5/21/2015 6:13 PM Note Time: 5/21/2015 6:12 PM
 Editor: King, Jalita E, RN (Registered Nurse) Author Type: Registered Nurse
 Status: Signed

Pt is in green gown, belongings being locked up with security. Pt calm and cooperative.

Electronically signed by King, Jalita E, RN on 5/21/2015 6:13 PM

ED Notes by King, Jalita E, RN at 5/21/2015 5:43 PM

Version 2 of 2

Author: King, Jalita E, RN Service: (none)
 Filed: 5/21/2015 5:45 PM Note Time: 5/21/2015 5:43 PM
 Editor: King, Jalita E, RN (Registered Nurse) Author Type: Registered Nurse
 Status: Addendum
 Related Notes: Original Note by King, Jalita E, RN (Registered Nurse) filed at 5/21/2015 5:44 PM

Mother is petitioning pt stating that pt is driving around with illegal tags on his car, no license and insurance. Mother also states that pt is accusing the police of illegal wrong doings when the patient is the one in the wrong. Mother states that she would like her son to have a psychiatric evaluation. Pt given gown and instructed to place clothing in patient belonging bag. Pt refusing to take off clothing at this time. Pt is currently a&ox3, calm and cooperative. Respirations are even and unlabored, ksin is warm dry and intact. ND noted at this time. Will continue to monitor.

Electronically signed by King, Jalita E, RN on 5/21/2015 5:45 PM

ED Notes by King, Jalita E, RN at 5/21/2015 5:43 PM

Version 1 of 2

Author: King, Jalita E, RN Service: (none)
 Filed: 5/21/2015 5:44 PM Note Time: 5/21/2015 5:43 PM
 Editor: King, Jalita E, RN (Registered Nurse) Author Type: Registered Nurse
 Status: Signed
 Related Notes: Addendum by King, Jalita E, RN (Registered Nurse) filed at 5/21/2015 5:45 PM

Mother is petitioning pt stating that pt is driving around with illegal tags on his car, no license and insurance. Mother also states that pt is accusing the police of illegal wrong doings when the patient is the one in the wrong. Mother states that she would like her son to have a psychiatric evaluation.

Electronically signed by King, Jalita E, RN on 5/21/2015 5:44 PM

OAKWOOD ANNAPOLIS HOSPITAL
 33155 Annapolis Rd
 Wayne MI 48184-2405
 ED Legal Record

STUDSTILL,HERBERT JR.
 MRN: 07167477
 DOB: 10/24/1975, Sex: M
 Adm: 5/21/2015, D/C: 5/22/2015

ED Provider Notes (continued)

ED Provider Notes by Murry, Glenn, PA-C at 5/21/2015 9:46 PM (continued)

Version 1 of 1

Number of Diagnoses or Management Options

Diagnosis management comments: Here with likely untreated schizophrenia - there is no injury - here with mother who has concern and is writer of petition - medical evaluation complete other than urine drug screen - although expressing disagreement he is cooperative and not a management problem

Amount and/or Complexity of Data Reviewed

Clinical lab tests: reviewed and ordered

Murry, Glenn, PA-C
 05/21/15 2151

Mingo, Alfie E, MD
 05/22/15 2125

Electronically signed by Mingo, Alfie E, MD on 5/22/2015 9:25 PM

ED Provider Notes by Horling, Susan M, DO at 5/22/2015 3:03 AM

Version 2 of 2

Author: Horling, Susan M, DO Service: Adm-Emergency Medicine Author Type: Physician
 Filed: 5/22/2015 7:40 PM Note Time: 5/22/2015 3:03 AM Status: Addendum
 Editor: Horling, Susan M, DO (Physician)
 Related Notes: Original Note by Knauer, James A, PA-C (Physician Assistant) filed at 5/22/2015 6:41 AM

2200 case signed out to myself from g murry pa-c. Vss, no new complaints or problems.
 0700 case signed out to m deller pa-c

Knauer, James A, PA-C
 05/22/15 0641

I have personally seen & evaluated the patient. I find the patients history and physical exam are consistent with NP/PA documentation. I agree with the care provided, treatment rendered, disposition & follow up plan.

Horling, Susan M, DO
 05/22/15 1940

Electronically signed by Horling, Susan M, DO on 5/22/2015 7:40 PM

ED Provider Notes by Knauer, James A, PA-C at 5/22/2015 3:03 AM

Version 1 of 2

1 STATE OF MICHIGAN

2 34TH JUDICIAL DISTRICT COURT COUNTY OF WAYNE

3 THE PEOPLE OF THE CITY OF ROMULUS,

4 v 5 District Court No. 15-1943;
6 1944; 1945

7 HERBERT STUDSTILL, COPY

8 Defendant.

9 SHOW CAUSE HEARING

10 BEFORE THE HONORABLE ALAN HINDMAN, MAGISTRATE

11 12 Romulus, Michigan - October 15, 2015

13 APPEARANCES:

14 15 For the People: No one present

16 17 For the Defendant: In Pro Per.

18 19 Recorded and transcribed by: Michelle J.K. Buckberry, CER3601
20 Certified Electronic Recorder
(734) 941-4462

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	<u>IDENTIFIED</u> <u>ADMITTED</u>
WITNESSES: PEOPLE	
None.	
WITNESSES: DEFENDANT	
NONE.	
EXHIBITS:	
None.	

1 Romulus, Michigan

2 Thursday, October 15, 2015 - 2:37 p.m.

3 THE COURT: Mr. Studstill, did you read and sign
4 your Advice of Rights Form?

5 THE DEFENDANT: No. For the record, I'm making a
6 special appearance and I'm challenging the jurisdiction for
7 the record.

8 THE COURT: You want the Court to do something and
9 the Court is asking you, did you read and sign your Advice
10 of Rights form?

11 THE DEFENDANT: No. I am here making a special
12 appearance.

13 THE COURT: Again, I don't want to--listen--listen
14 to me. You want me to do something for you and I'm asking
15 you, did you read and sign your Advice of Rights form?

16 THE DEFENDANT: No.

17 THE COURT: Then I'm gonna read them to you,
18 because when you walked into the door of this court house
19 you want to--the Court to grant your request, but you have
20 to abide by our rules. Are you prepared for that this
21 afternoon?

22 THE DEFENDANT: I'm challenging the jurisdiction--

23 THE COURT: Are you prepared--

24 THE DEFENDANT: --for the record.

25 THE COURT: --for that this afternoon?

1 THE DEFENDANT: I am ready.

2 THE COURT: Okay.

3 Mom?

4 MS. FLOYD: No verbal response.

5 THE COURT: Have a seat at that table?

6 THE DEFENDANT: This one?

7 THE COURT: Yep.

8 I'm--your name for the record?

9 MS. FLOYD: Jelica (phonetic) Floyd.

10 THE COURT: I'm aware of the Defendant's
11 situation.

12 MS. FLOYD: Uh huh.

13 THE COURT Is there any power--do you have any
14 power of attorney over him?

15 MS. FLOYD: No, I do not.

16 THE COURT: No?

17 MS. FLOYD: I've asked for outside guardianship,
18 because it would cause so much conflict between he and I if
19 I--he is totally against it. So there's a outside person--
20 organization that may--is trying to do it.

21 THE COURT: What's the state of union of Herbert
22 today?

23 MS. FLOYD: The--his--

24 THE COURT: Is he--

25 MS. FLOYD: --position?

1 THE COURT: Did he--he was sent for a--a
2 psychological. Did that ever occur?

3 MS. FLOYD: We went, but he did not comply. We
4 got there, locked up everything, but then he would not allow
5 them to search him. He said it was a violation of his civil
6 rights. So then we left. But that's as far as I got with
7 him.

8 So what we're trying to do is get the third party
9 involved to help with all of this. I can not do it alone.
10 It--it's just total nonsense. We--I've talked and talked
11 until I'm blue in the face. He doesn't listen to me. So
12 maybe these other people with the force of medication, going
13 to the doctor, what have you, that will help turn this
14 situation around, because he's not doing any of that.

15 THE COURT: How is the environment at home?

16 MS. FLOYD: He lives alone and we have managed
17 with him doing that for years because he listened to us at
18 that point. Now he's involved with these Moorish people.
19 They take his money. He has to pay to belong. They have
20 gotten him into all of this. He will not listen to us now.
21 He doesn't hear it. But he still pays his rent and what
22 have you like that. He does that, but--

23 THE COURT: There's nobody but your mother
24 standing next to you today. All these people that are
25 feeding you all this information, in my relationship with

1 you, they're never here. The only people that you truly
2 can trust on the planet are always here for you. All these
3 other people, they're never here with you.

4 So he's over on Carnegie?

5 MS. FLOYD: Yes.

6 THE COURT: See, when I said he walks into this
7 building, he--there's a whole bunch of stuff that goes along
8 with these six cases.

9 MS. FLOYD: Yes, it is.

10 THE COURT: And he wants to talk about rights.

11 Well, he--signing that Advice of Rights form or me going to
12 explain those rights to him in a minute, he's gonna be put
13 into that situation.

14 MS. FLOYD: I understand that, but I think he's
15 just off on his binge of things. He doesn't see the big
16 picture. He just doesn't get it.

17 THE COURT: How old is he?

18 MS. FLOYD: How old are you, Herbert?

19 THE DEFENDANT: Thirty-nine.

20 THE COURT: Hold on a minute.

21 THE DEFENDANT: It appears that the judge has left
22 the bench.

23 THE COURT: All right, Herbert, step up. Herbert,
24 you've been arraigned before Judge Green. I'm not gonna--
25 she sent you for a competency exam. Did you do that?

1 THE DEFENDANT: Yes, and I'm challenging your
2 jurisdiction for the record.

3 THE COURT Okay. And I have there's no competency
4 in this file. You're in what's called a show cause status,
5 that's for you to show cause why you didn't fulfill the
6 Judge's order. Why didn't you go and take care of the
7 objectives that the Judge gave you by going in for a
8 competency exam?

9 THE DEFENDANT: I am challenging the Court's
10 jurisdiction--

11 THE COURT: Okay.

12 THE DEFENDANT: --for the record.

13 THE COURT: Okay. Mr. Studstill, you have the
14 right to remain silent. Anything you say orally and/or in
15 writing can be used against you in court. You have the
16 right to a trial before a judge or before a jury. You have
17 a right to bring forth witnesses to testify on your behalf.
18 Do you understand that?

19 THE DEFENDANT: No verbal response.

20 THE COURT: And the Prosecution has the right to
21 bring witnesses and put them under oath to testify against
22 you. Do you understand that?

23 THE DEFENDANT: Yes.

24 THE COURT: So, with all that said, you did not
25 do what the Judge ordered, so what I'm gonna do on case

number 15-1943, your bond is five thousand dollars/ten percent. And I'm gonna order you--I'm gonna continue the Judge's order for a competency exam.

Case number 15-1944, Interfere With a Police Officer, I'm gonna order that you again for competency, per Judge Green's order. Your bond on that case is five thousand dollars/ten percent.

Case number 15-1945, I'm gonna continue the Judge's order for competency. Your bond on that case is five thousand dollars/ten percent.

And in the final case, Failed to Obey a Police--
no, second from the last--Failed to Obey, that's another
case that the Judge ordered competency. I'm gonna continue
that order. I'm gonna place you on a five thousand dollar/
ten percent bond.

And the final case, a Registration or Plate Violation, and again the Judge ordered competency. You failed to do it. I'm gonna order your bond on that case five thousand dollars/ten percent.

So that totals twenty-five thousand dollars/ten percent. You're gonna be--there's gonna be a--the competency order is gonna be forwarded to the Wayne County Sheriff's Department, because you're gonna be in custody and I think that's gonna make that competency exam happen.

You have a civil infraction that I'm just gonna

1 push out until the date--a Romulus date.

2 Michelle--matter of fact, you can just--it's at
3 show cause now. Give me a date.

4 COURT RECORDER: I can't give you a date, because
5 we don't know when the competency will be.

6 THE COURT: I know, so I'll just leave it.

7 Mr. Studstill, I told you at the beginning of
8 this, when you come into the building you have to abide by
9 all of the rules that this body of the government operates
10 under and so I know you had good intentions when you came
11 in, but you're gonna be going that way today.

12 THE DEFENDANT: What does that mean?

13 THE COURT: You're gonna be taken into custody.
14 This is serious.

15 I don't know what it is on your end with whoever
16 feeds you your information that you get, but in my thirty
17 plus years in this building I've never been able to
18 understand this practice that floats around on the internet.
19 I think it all boils down to money. But, in my thirty
20 years every case similar to yours that the same verbiage is
21 used, I never see the parties that present this whatever it
22 is, these beliefs, are never present with the people at the
23 other end. You're gonna go off to jail and those people
24 that gave you that information, they're gonna be sitting
25 down tonight eating dinner somewhere and you're not gonna be

7 I can tell by the look on your mom's face that
8 this isn't happy, but we need to get your attention.
9 You're--you're listening to the wrong people. I can tell
10 you personally that we had these cases all set to go a very
11 easy route, but you're focused on something that's the
12 opposite of that. And with whoever is giving you this
13 information, they're not standing here today.

Go ahead and take him into custody.

16 And now listen, going into custody--

16 THE DEFENDANT: And I am also challenging your
17 jurisdiction for the record.

18 THE COURT: That--and I--I--it's--it--I'll take it
19 under advisement, but again, I read you your rights and I've
20 put you on notice that--that--bond is not a penalty. Bond
21 is to guarantee that you fulfill the orders of the judges
22 that sit in this building and you failed to do so.

25 Go ahead, Tim.

1 THE DEFENDANT: For the record I want to know what
2 my crime is.

3 OFFICER RAPP: Come on, let's go.

4 THE COURT: Case number 1942--real quick, Tim.
5 I'll tell him.

6 OFFICER RAPP: Okay.

7 THE COURT: 1943 is Obstructing Justice; 1944 is
8 Interfere With a Police Officer; 1945 is Driving While
9 License Suspended; 1946 is Failed to Obey a Police Officer;
10 and the last one is a Registration or Plate Violation.

11 You're all set, go.

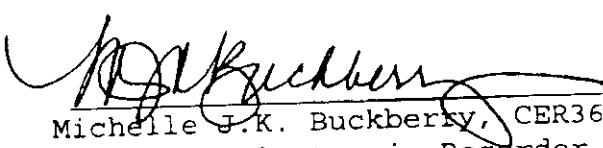
12 (At 2:51 a.m., proceedings concluded)

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CERTIFICATE

STATE OF MICHIGAN)
)
COUNTY OF WAYNE)

I certify that this transcript consisting of 12 pages is a
complete, true, and correct transcript of the proceedings and
testimony taken in this case on October 15, 2015.

December 2, 2015


Michelle J.K. Buckberry, CER3601
Certified Electronic Recorder
11131 S. Wayne Road
Romulus, MI 48174
(734) 941-4462

CIVIL CC

The JS 44 civil cover sheet and the information contained herein neither replace nor provide by local rules of court. This form, approved by the Judicial Conference of the United States for use in the Federal Courts, is for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS Herbert Stidham Esq.
6296 Carnegie St.
Romulus MI 48174

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

1 U.S. Government Plaintiff 3 Federal Question
U.S. Government Not a Party

2 U.S. Government
Defendant 4 Diversity
Indicate

4 Diversity
(Indicate Citizenship of Parties in Item 3H)

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input checked="" type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157
				PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
				LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act
				SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIW/W (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
				FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS --Third Party 26 USC 7609
				IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions
				<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729 (a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 830 Securities Commodities Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing Accommodations <input type="checkbox"/> 445 Amer. w/ Disabilities Employment <input type="checkbox"/> 446 Amer. w/ Disabilities Other <input type="checkbox"/> 448 Education	Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity)

Brief description of cause:

**VII. REQUESTED IN
COMPLAINT:**

 **CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.**

VIII. RELATED CASE(S)

(See instructions):

DAVID

SIGNATURE OF ATTORNEY OF RECORD

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ACKNOWLEDGMENT

APPLYING IEP

JUDGE

MAG. JUDGE

PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

Yes

No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

Yes

No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

Notes :

CIVIL COVER SHEET

County in which action arose

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS <i>Herbert Stuckel El</i> <i>6296 Carnegie St</i> <i>Romulus MI 48174</i> (b) County of Residence of First Listed Plaintiff <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i>		DEFENDANTS <i>Jalita Floyd King</i> <i>3663 Beverly Rd</i> <i>Romulus MI 48174</i> County of Residence of First Listed Defendant <i>(IN U.S. PLAINTIFF CASES ONLY)</i> NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED	
(c) Attorneys (Firm Name, Address, and Telephone Number)		Attorneys (If Known)	
II. BASIS OF JURISDICTION (Place an "X" in One Box Only)		III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)	
<input checked="" type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 2 U.S. Government Defendant	<input checked="" type="checkbox"/> PTF Citizen of This State	<input checked="" type="checkbox"/> DEF Incorporated or Principal Place of Business In This State
<input type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i>	<input type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i>	<input type="checkbox"/> 1 Citizen of Another State	<input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State
		<input type="checkbox"/> 3 Citizen or Subject of a Foreign Country	<input type="checkbox"/> 4 Foreign Nation
IV. NATURE OF SUIT (Place an "X" in One Box Only)		FORFEITURE/PENALTY	
CONTRACT		TORTS	
110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excludes Veterans) 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise		PERSONAL INJURY <i>310 Airplane</i> <i>315 Airplane Product Liability</i> <i>320 Assault, Libel & Slander</i> <i>330 Federal Employers Liability</i> <i>340 Marine</i> <i>345 Marine Product Liability</i> <i>350 Motor Vehicle</i> <i>355 Motor Vehicle Product Liability</i> <i>360 Other Personal Injury</i> <i>362 Personal Injury - Medical Malpractice</i> PERSONAL PROPERTY <i>370 Other Fraud</i> <i>371 Truth in Lending</i> <i>380 Other Personal Property Damage</i> <i>385 Property Damage</i> <i>390 Other Product Liability</i>	
REAL PROPERTY		CIVIL RIGHTS <i>440 Other Civil Rights</i> <i>441 Voting</i> <i>442 Employment</i> <i>443 Housing Accommodations</i> <i>445 Amer. w. Disabilities - Employment</i> <i>446 Amer. w. Disabilities - Other</i> <i>448 Education</i> Habeas Corpus: <i>463 Alien Detainee</i> <i>510 Motions to Vacate Sentence</i> <i>530 General</i> <i>535 Death Penalty</i> Other: <i>540 Mandamus & Other</i> <i>550 Civil Rights</i> <i>555 Prison Condition</i> <i>560 Civil Detainee - Conditions of Confinement</i>	
PRISONER PETITIONS		FORFEITURE/PENALTY	
VI. CAUSE OF ACTION		Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity).	
VII. REQUESTED IN COMPLAINT:		CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.	
VIII. RELATED CASE(S) IF ANY		DEMANDS <i>\$150,000</i>	
<i>(See instructions)</i>		CHECK YES only if demanded in complaint: JURY DEMAND:	
JUDGE		DOCKET NUMBER	
DATE		SIGNATURE OF ATTORNEY OF RECORD	

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RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

Yes
 No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

Yes
 No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

Notes :

New Lawsuit Check List

Instructions: Put a check mark in the box next to each appropriate entry to be sure you have all the required documents.

<input checked="" type="checkbox"/> Two (2) completed Civil Cover Sheets.	Case: 2:16-cv-12406 Judge: Leitman, Matthew F. MJ: Patti, Anthony P. Filed: 06-24-2016 At 11:03 AM CMP STUDSTILL v KING (sk)		
<input checked="" type="checkbox"/> Enter the number of defendants named in your lawsuit in the blank below, add 2 and then enter the total in the blank.	$\begin{array}{c} \text{# of Defendants} \\ \hline 1 \end{array} + 2 = \begin{array}{c} \text{Total} \\ \hline 3 \end{array}$ Complaints.		
ONLY 2 Complaints Sent Received by Clerk: <u>SK</u> Addresses are complete: <u>SK</u>			
<input type="checkbox"/> If any of your defendants are government agencies: Provide two (2) extra copies of the complaint for the U.S Attorney and the Attorney General.			
If Paying The Filing Fee:		If Asking That The Filing Fee Be Waived:	
<input type="checkbox"/> Current new civil action filing fee is attached. Fees may be paid by check or money order made out to: Clerk, U.S District Court Received by Clerk: _____ Receipt #: _____		<input checked="" type="checkbox"/> Two (2) completed Application to Proceed in District Court without Prepaying Fees or Costs forms. Received by Clerk: _____	
Select the Method of Service you will employ to notify your defendants:			
Service via Summons by Self		Service by U.S Marshal (Only available if fee is waived)	
<input type="checkbox"/> Two (2) completed summonses for each defendant including each defendant's name and address. Received by Clerk: _____		<input checked="" type="checkbox"/> Two (2) completed USM - 285 Forms per defendant, if you are requesting the U.S Marshal conduct service of your complaint. <input checked="" type="checkbox"/> Two (2) completed Request for Service by U.S Marshal form. Received by Clerk: _____	
Service via Waiver of Summons (U.S Government cannot be a defendant)			
<input type="checkbox"/> You need not submit any forms regarding the Waiver of Summons to the Clerk. <u>Once your case has been filed, or the Application to Proceed without Prepaying Fees and Costs has been granted, you will need:</u> <ul style="list-style-type: none"> • One (1) Notice of a Lawsuit and Request to Waive Service of a Summons form per defendant. • Two (2) Waiver of the Service of Summons forms per defendant. <u>Send these forms along with your filed complaint and a self-addressed stamped envelope to each of your defendants.</u>			

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Note any deficiencies here:

Only 2 Complaints were sent.

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